



U.S. Department of Justice
Civil Rights Division

TCH:RSB:RPL:ZB:tst:maf
DJ 166-012-3
2012-0122

Voting Section - NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530

March 12, 2012

D. Phillip Adkins, Esq.
General Counsel
Texas Department of Public Safety
P.O. Box 4087
Austin, Texas 78773-0001

Dear Mr. Adkins:

This refers to 7 Tex. Admin. Code Sections 15.181 through 15.185, which relate to the election identification certificate process required by Chapter 123 (S.B. 14) (2011), for the State of Texas, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submission on January 10, 2012.

We note that the proposed changes provided in Sections 15.181 through 15.185 of the Texas Administrative Code are directly related to the proposed changes found in Chapter 123 (S.B. 14) (2011). On this date, the Attorney General interposed an objection to Sections 9 and 14 of Chapter 123. At the same time, he made no determination to the remaining related changes in that legislation. Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.22(b). Sections 15.181 through 15.185 of the Texas Administrative Code, which are the changes contained in this submission, are also directly related to the changes contained in Chapter 123 that have not received the requisite Section 5 determination. As a result, it would be inappropriate to make a determination on the instant changes at this time. *Ibid.* Changes that affect voting are legally unenforceable unless and until the appropriate Section 5 determination has been obtained. *Clark v. Roemer*, 500 U.S. 646 (1991); 28 C.F.R. 51.10.

Sincerely,

T. Christian Herren, Jr.
Chief, Voting Section

PX088

2:13-cv-193
09/02/2014

DEF0089

TA_003402

US_00005708